

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:11-CV-121-MOC-DCK

MILDRED TINA SEKE, )  
                          )  
Plaintiff,            )  
                          )  
v.                    )  
                          )  
FIVE STAR QUALITY CARE - OBX )  
OPERATOR, LLC, d/b/a LEGACY    )  
HEIGHTS SENIOR LIVING,        )  
                          )  
Defendant.            )  
                          )

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**ORDER**

**THIS MATTER IS BEFORE THE COURT** *sua sponte* regarding the filing of Defendant's "Motion To Dismiss For Want Of Prosecution" (Document No. 13).

In accordance with Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the Court advises Plaintiff, who is proceeding *pro se*, that she has a right to respond to Defendant's motion. The Court also advises Plaintiff that failure to respond may result in Defendant being granted the relief it seeks, that is, the dismissal of the Complaint.

**IT IS THEREFORE ORDERED** that Plaintiff may respond to the pending "Motion To Dismiss For Want Of Prosecution" (Document No. 13) on or before **January 20, 2012**. Failure to file a timely and persuasive response will likely lead to the dismissal of this lawsuit.

The Clerk of Court is directed to send this Order to Plaintiff by certified U.S. mail.

Signed: January 3, 2012



David C. Keesler  
United States Magistrate Judge

